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10/12/2010 12:53

#800 P.002/004

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10 UNITED STATES DISTRICT COURT FOR THE  
11 NORTHERN DISTRICT OF CALIFORNIA

12 WILLIAM J. BOWLER, JR.

Case No. CV-09-05523 JCS

13 Plaintiff,

14 vs.

15 HOME DEPOT U.S.A., INC. dba THE  
16 HOME DEPOT

17 Defendants.

**STIPULATION TO STRIKE WORDING  
RE INJUNCTIVE RELIEF IN  
PLAINTIFF'S FIRST AMENDED  
COMPLAINT; ORDER THEREON**

18 Having reviewed the contents of plaintiff's First Amended Complaint, filed on September 21,  
19 2010, the parties noted that the language in several portions did not conform to the court's order  
20 granting in part leave to file the first amended complaint.

21  
22 This nonconformity occurred with respect to the plaintiff's request for injunctive relief in  
23 paragraphs 10 and 23 of the First Amended Complaint regarding requesting injunctive relief at  
24 "...The Home Depot Store in Ukiah and elsewhere." [First Amended Complaint, page 4, para.  
25 10, lines 14-15; page 8, para. 23, lines 3-4].

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#800 P.003/004

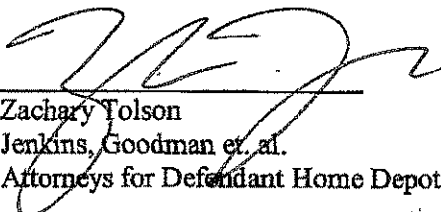
1 Accordingly, the parties stipulate to the following changes in the language of the First Amended  
2 Complaint.

- 3 1. Page, 4, para 10, lines 14-15 to now read: "...at the Home Depot Store in Ukiah and  
4 Windsor, CA."  
5  
6 2. Page, 8, para 23, lines 3-4 to now read: "...at the Home Depot Store in Ukiah and  
7 Windsor, CA."  
8

9 SO STIPULATED:

10  
11   
12 Herman Franck, Esq.  
13 Elizabeth Vogel, Esq.  
14 Franck & Associates  
15 Attorneys for Plaintiff William Bowler  
16

Date: October 15, 2010

17   
18 Zachary Tolson  
19 Jenkins, Goodman et. al.  
20 Attorneys for Defendant Home Depot  
21  
22  
23  
24  
25

Date: October 14, 2010

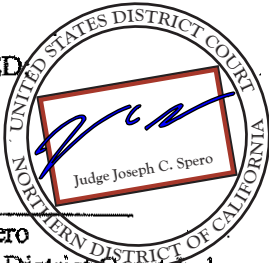
ORDER

Having reviewed the foregoing, the Court ACCEPTS and GRANTS the parties' Stipulation to correct the language of the First Amended Complaint.

It is hereby ORDERED:

1. Page, 4, para 10, lines 14-15 is to now read: "...at the Home Depot Store in Ukiah and Windsor, CA."
2. Page, 8, para 23, lines 3-4 is to now read: "...at the Home Depot Store in Ukiah and Windsor, CA."

SO ORDERED



Joseph C. Spero  
United States District Court Judge

Dated: 10/15/10